

The article was alleged also to be misbranded under the provisions of the law applicable to foods as reported in notices of judgment on foods.

DISPOSITION: 4-3-61. Default—destruction.

6614. Addit "Hi-Vi" Reducing Aid. (F.D.C. No. 45502. S. No. 20-520 R.)

QUANTITY: 62 cases, 24 ctnd. vials each, at Detroit, Mich.

SHIPPED: 4-6-59, from Buffalo, N.Y., by Addit Co.

LABEL IN PART: (Ctn.) "Contents 120 Grams ADDIT 'Hi-Vi' Reducing Aid Multi Vitamin-Mineral Tonic For maintaining vitality while reducing Taken before meals, helps reduce appetite. Distributed by Addit Co., Grosse Pointe 36, Mich."

ACCOMPANYING LABELING: Leaflets in carton entitled "Reducer's Recipes" and "The ADDIT Plan For Reducing For Increasing Vitality For Gaining Weight."

LIBELED: 3-8-61, E. Dist. Mich.

CHARGE: 502(a)—when shipped, the labeling of the article contained false and misleading representations that the article was adequate and effective for reducing, maintaining weight, and gaining weight easily, painlessly, and healthfully, while reducing and controlling the appetite, increasing vitality, and preventing nervousness, sleeplessness, and loss of strength; to build up weak, undernourished children, build up strength when rundown, develop resistance to disease, and to restore vigor after debility caused by illness or over-exertion; and that the article was a tonic for those subject to colds and viruses.

The article also was alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: 4-18-61. Default—destruction.

6615. Honey. (F.D.C. No. 44675. S. No. 48-401 R.)

QUANTITY: 1,657 5-gal. cans unlabeled or bearing labels of no significance; 67 5-gal. labeled cans; 292 cases, each containing 12 12-oz. btls.; 166 cases, each containing 6 5-lb. cans; 79 cases, each containing 12 32-oz. jars; 505 cases, each containing 12 16-oz. jars; and 198 cases, each containing 24 8-oz. jars, at Denver, Colo., in possession of Superior Honey Co.

SHIPPED: Between 1-5-60 and 6-22-60, from outside the State of Colorado.

LABEL IN PART: (Can) "Mountain Brand Honey White [or "Light Amber"] Quality" or "Superior Brand Pure Honey"; (btls.) "Pure Honey * * * Superior Honey Co." and "Honey Bear * * * Pure Honey"; (jars) "Superior Brand Honey" and "Superior Cone Honey * * * Southern Style."

ACCOMPANYING LABELING: Books entitled "Folk Medicine A Vermont Doctor's Guide to Good Health, D. C. Jarvis, M.D."

RESULTS OF INVESTIGATION: The article in the labeled cans and in the bottles and jars was repacked by the dealer from bulk stock shipped as described above. The above-mentioned books were used by the dealer in promoting sales of the article.

LIBELED: 7-12-60, Dist. Colo.

CHARGE: 502(a)—while held for sale, the accompanying labeling of the article contained statements which represented and suggested that the article was adequate and effective for the treatment and prevention of arthritis, digestive disorders, belching, constipation, high blood pressure, chronic fatigue, head-

aches, including migraine headache, infectious diseases, including typhoid, bronchopneumonia, peritonitis, pleurisy, and dysentery, fungus diseases, heart disease, diabetes, insomnia, sterility, nervousness, tension, irritability, itching scalp and skin, numbness, cold hands and feet, dizziness, mental retardation, tooth decay, falling hair, breaking fingernails, hay fever, callouses and corns, slow healing of cuts and bruises, pimples, tic, cramps in muscles, blocked and swollen lymph glands, coughs, colds, sinus infection, infant colic, bed-wetting, hangovers, and alcoholism; to provide vigor, promote longevity, control and reduce weight without restrictions of diet; and to reduce or eliminate the difficulties of old age, which statements were false and misleading since the article was not adequate and effective for the treatment and prevention of the diseases, symptoms, and conditions stated and implied and was not capable of fulfilling the promises of benefit made for it.

DISPOSITION: The Superior Honey Co., claimant, filed combined motions to dismiss the libel, to require the government to make the libel more definite and certain, and to strike the misbranding allegations from the libel. On 12-23-60, the court denied the claimant's motions. On 4-27-61, the claimant having denied the allegations of misbranding in the libel but having consented to the entry of a decree, and the court having found that the article was misbranded as alleged, judgment of condemnation was entered. In addition, on the basis of claimant's representations to the court that it had discontinued the distribution of the book "Folk Medicine" at the time of the seizure of the article, and had at no time resumed distribution of the book; that it had no intention to engage in such distribution in Colorado or elsewhere; that it intended to sell its honey products only as a food; that it would not directly or indirectly promote the sale of its honey products through any suggestion that such products were useful in the treatment or prevention of ailments or diseases; and that it had turned over to the United States marshal all copies of the book "Folk Medicine" which it had in its possession, the court ordered that the honey products under seizure be released under bond to be brought into compliance with the law.

6616. Rife Frequency Instrument. (F.D.C. No. 45509. S. No. 17-356 R.)

QUANTITY: 1 device consisting of a variable frequency generator with a controlled power output designated "*Rife Frequency Instrument*" and a frequency counter designated "Model WE-110 Counter R.V.M.I. San Diego, Calif.," at Salt Lake City, Utah.

SHIPPED: 8-1-60, from San Diego, Calif., by Rife Virus Microscope Institute.

ACCOMPANYING LABELING: Four-page printed leaflet entitled "Contract"; two letters signed by John E. Marsh, one dated 9-12-60, and one on the Rife Virus Microscope Institute letterhead dated 7-17-60; and an instruction manual.

RESULTS OF INVESTIGATION: The device was a variable frequency generator with a controlled power output used in conjunction with a Model WE-110 frequency counter. The device included two metal electrodes with insulated handles which were intended to be applied in direct contact with the patient's body.

LIBELED: 3-13-61, Dist. Utah.

CHARGE: 502(a)—when shipped, the accompanying labeling of the article contained false and misleading representations that the article was adequate and effective as a treatment for devitalizing micro-living organisms detrimental to mankind, and thereby overcoming such conditions as cancer, colds, tumors,